

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
HEIDI A. OJEDA
3 Assistant Federal Public Defender
Nevada State Bar No. 12223
4 411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
5 (702) 388-6577/Phone
(702) 388-6261/Fax
6 Heidi_Ojeda@fd.org

7 Attorney for John P. Flaherty, III

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JOHN P. FLAHERTY, III,

15 Defendant.

Case No. 2:16-cr-080-APG-NJK

STIPULATION TO CONTINUE
SENTENCING HEARING
(Second Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United
18 States Attorney, and Susan Cushman, Assistant United States Attorney, counsel for the United
19 States of America, and Rene L. Valladares, Federal Public Defender, and Heidi A. Ojeda,
20 Assistant Federal Public Defender, counsel for John P. Flaherty, III, that the Sentencing Hearing
21 currently scheduled on December 12, 2018 at the hour of 9:00 a.m., be vacated and continued
22 to a date and time convenient to the Court, but no sooner than thirty (30) days.

23 This Stipulation is entered into for the following reasons:

24 1. Mr. Flaherty and his wife must fly from North Carolina to Las Vegas, Nevada
25 to attend his upcoming sentencing hearing. Due to inclement weather, they were unable to fly
26 out in time in order to be present at the currently scheduled hearing.

2. Additionally, Mr. Flaherty was just diagnosed with diabetes. His levels were dangerously high and he is now on an aggressive stabilizing regimen. The additional time will allow his health to stabilize prior to having to travel.

3. Defendant is not incarcerated and does not object to a continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

This is the second request for continuance of the sentencing filed herein.

DATED this 10th day of December, 2018.

RENE L. VALLADARES
Federal Public Defender

DAYLE ELIESON
Acting United States Attorney

/s/ Heidi A. Ojeda
By _____

/s/ Susan Cushman
By _____

HEIDI A. OJEDA
Assistant Federal Public Defender

SUSAN CUSHMAN
Assistant United States Attorney

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 JOHN P. FLAHERTY, III,

8 Defendant.
9


Case No. 2:16-cr-080-APG-NJK

ORDER

10
11 Based on the Stipulation of counsel and good cause appearing,

12 IT IS THEREFORE ORDERED that the Sentencing Hearing currently scheduled on
13 December 12, 2018 at the hour of 9:00 a.m. be vacated and continued to January 16, 2019
14 at the hour of 9:30 a.m. in Courtroom 6C

15 DATED this 10th day of December, 2018.

16
17 
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26